

Debtor 1 Sarah M. Sorrell

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Eastern District of Virginia  
(State)

Case number 15-30024-KRH (Richmond)

## Form 4100R

## Response to Notice of Final Cure Payment

10/15

According to Bankruptcy Rule 3002.1(g), the creditor responds to the trustee's notice of final cure payment.

## Part 1: Mortgage Information

Name of creditor: US Bank Trust National Association,  
as Trustee of the Igloo Series III Trust. Court claim no. (if known):  
5-2

Last 4 digits of any number you use to identify the debtor's account: 1 3 2 0

Property address: 2813 Howerton Road  
Number Street

Dunnsville, VA 22454  
City State ZIP Code

## Part 2: Prepetition Default Payments

Check one:

- ☒ Creditor agrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim.
- ☐ Creditor disagrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim. Creditor asserts that the total prepetition amount remaining unpaid as of the date of this response is: \$ \_\_\_\_\_

## Part 3: Postpetition Mortgage Payment

Check one:

- ☐ Creditor states that the debtor(s) are current with all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

The next postpetition payment from the debtor(s) is due on: \_\_\_\_/\_\_\_\_/\_\_\_\_  
MM / DD / YYYY

- ☒ Creditor states that the debtor(s) are not current on all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

Creditor asserts that the total amount remaining unpaid as of the date of this response is:

- a. Total postpetition ongoing payments due: 07/01/2018-01/01/2020 19@ \$747.36 (a) \$ 14,199.84
- b. Total fees, charges, expenses, escrow, and costs outstanding: + (b) \$ \_\_\_\_\_
- c. **Total.** Add lines a and b. (c) \$ \_\_\_\_\_

Creditor asserts that the debtor(s) are contractually obligated for the postpetition payment(s) that first became due on: \_\_\_\_/\_\_\_\_/\_\_\_\_

Suspense account \$ 468.46Total Due \$ 13,731.38

\*\*\*\* Relief from Stay order was entered on November 26, 2019.

Debtor 1 Sarah M. Sorrell Case number (if known) 15-30024-KRH  
First Name Middle Name Last Name

**Part 4:** Itemized Payment History

If the creditor disagrees in Part 2 that the prepetition arrearage has been paid in full or states in Part 3 that the debtor(s) are not current with all postpetition payments, including all fees, charges, expenses, escrow, and costs, the creditor must attach an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- ☐ all payments received;
- ☐ all fees, costs, escrow, and expenses assessed to the mortgage; and
- ☐ all amounts the creditor contends remain unpaid.

**Part 5:** Sign Here

**The person completing this response must sign it. The response must be filed as a supplement to the creditor's proof of claim.**

Check the appropriate box::

- ☐ I am the creditor.  
☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this response is true and correct to the best of my knowledge, information, and reasonable belief.**

Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this response applies.

X /s/ Keith Yacko  
Signature

Date 01 / 30 / 2020

Print Keith Yacko Title Attorney for creditor  
First Name Middle Name Last Name

Company McMichael Taylor Gray, LLC

**If different from the notice address listed on the proof of claim to which this response applies:**

Address 3550 Engineering Drive, Suite 260  
Number Street

Peachtree Corners, GA 30092  
City State ZIP Code

Contact phone (470) 289-4347

Email kyacko@mtglaw.com



Payment Changes				
Date	P&I	Escrow	Total	Notice Filed
5/1/2016	\$762.50	\$192.76	\$955.26	Filed w/ POC
9/1/2017	\$579.00	\$168.36	\$747.36	MODIFICATION
		\$0.00		
		\$0.00		
		\$0.00		

Loan #	
Borrower	Sarah Sorell
BK Case #	15-30024
Date Filed	1/5/2015
First Post Petition Due Date	6/1/2016
POC Covers	

	consent order enter payments from 09/01/2016 to 04/01/2017 added to the claim
modification 05/01/2016	

Date	Amount Rcvd	Post Pet Due Date	Contractual Due Date	Amnt Due	Over/Short	Suspense Credit	Suspense Debit	Suspense Balance	POC Arrears Credit	POC Debit	POC Suspense Balance	POC Paid to Date	Comments
						\$0.00	\$957.76		\$957.76		\$0.00	\$0.00	
6/3/2016	\$786.23	5/1/2016		\$955.26	\$-169.03		\$118.52	\$839.24			\$0.00	\$0.00	
6/14/2016	\$1,536.46	6/1/2016		\$955.26	\$581.20	\$631.71		\$1,470.95			\$0.00	\$0.00	
6/14/2016	\$189.23				\$189.23	\$189.23		\$1,660.18			\$0.00	\$0.00	
7/5/2016	\$768.23	7/1/2016		\$955.26	\$-187.03		\$136.52	\$1,523.66			\$0.00	\$0.00	
8/15/2016	\$786.23	08/01/16		\$955.26	\$-169.03		\$169.03	\$1,354.63			\$0.00	\$0.00	
4/10/2017	\$769.00	09/01/16		\$955.26	\$-186.26		\$186.26	\$1,168.37			\$0.00	\$0.00	
5/4/2017	\$769.00	10/7/2016		\$955.26	\$-186.26		\$186.26	\$982.11			\$0.00	\$0.00	
		11/01/16		\$955.26	\$-955.26		\$955.26	\$26.85			\$0.00	\$0.00	
7/7/2017	\$1,538.00	12/01/16		\$955.26	\$582.74	\$582.74		\$609.59			\$0.00	\$0.00	
8/7/2017	\$769.00	1/1/2017		\$955.26	\$-186.26		\$186.26	\$423.33			\$0.00	\$0.00	
9/11/2017	\$769.00	02/01/17		\$955.26	\$-186.26		\$186.26	\$237.07			\$0.00	\$0.00	
11/13/2017	\$498.52				\$498.52	\$498.52		\$735.59			\$0.00	\$0.00	
5/23/2018	\$498.52	03/01/17		\$955.26	\$-456.74		\$456.74	\$278.85			\$0.00	\$0.00	
6/8/2018	\$789.69	4/1/2017		\$955.26	\$-165.57		\$165.57	\$113.28			\$0.00	\$0.00	
7/10/2018	\$789.69				\$789.69	\$789.69		\$902.97			\$0.00	\$0.00	
11/7/2018	\$758.00	5/1/2017		\$955.26	\$-197.26		\$197.26	\$705.71			\$0.00	\$0.00	
1/16/2019	\$758.00	6/1/2017		\$955.26	\$-197.26		\$197.26	\$508.45			\$0.00	\$0.00	
3/12/2019	\$1,000.00	7/1/2017		\$955.26	\$44.74	\$44.74		\$553.19			\$0.00	\$0.00	
6/28/2019	\$2,263.81	8/1/2017		\$955.26	\$1,308.55	\$1,308.55		\$1,861.74			\$0.00	\$0.00	
		9/1/2017			\$747.36	\$747.36		\$1,114.38			\$0.00	\$0.00	
		10/1/2017			\$747.36	\$747.36		\$367.02			\$0.00	\$0.00	
11/7/2019	\$6,080.32	11/1/2017		\$747.36	\$5,332.96	\$5,332.96		\$5,699.98			\$0.00	\$0.00	
11/7/2019		12/1/2017			\$747.36	\$747.36		\$4,952.62			\$0.00	\$0.00	
11/7/2019		1/1/2018			\$747.36	\$747.36		\$4,205.26			\$0.00	\$0.00	
11/7/2019		2/1/2018			\$747.36	\$747.36		\$3,457.90			\$0.00	\$0.00	
11/7/2019		3/1/2018			\$747.36	\$747.36		\$2,710.54			\$0.00	\$0.00	
11/7/2019		4/1/2018			\$747.36	\$747.36		\$1,963.18			\$0.00	\$0.00	
11/7/2019		5/1/2018			\$747.36	\$747.36		\$1,215.82			\$0.00	\$0.00	
11/7/2019		6/1/2018			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
11/7/2019		7/1/2018			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		8/1/2018			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		9/1/2018			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		10/1/2018			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		11/1/2018			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		12/1/2018			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		1/1/2019			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		2/1/2019			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		3/1/2019			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		4/1/2019			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		5/1/2019			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		6/1/2019			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		7/1/2019			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		8/1/2019			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		9/1/2019			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		10/1/2019			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		11/1/2019			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		12/1/2019			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
		1/1/2020			\$747.36	\$747.36		\$468.46			\$0.00	\$0.00	
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UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

IN RE: ) CHAPTER 13  
)  
SARAH M. SORRELL ) CASE NO. 15-30024-KRH  
)  
DEBTOR. )

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-  
US BANK TRUST NATIONAL )  
ASSOCIATION, AS TRUSTEE OF THE )  
IGLOO SERIES III TRUST )  
MOVANT/SECURED CREDITOR )  
)  
V. )  
)  
SARAH M. SORRELL )  
DEBTOR )  
AND )  
)  
CARL M. BATES )  
TRUSTEE )  
RESPONDENTS )  
\_\_\_\_\_ )

**ORDER GRANTING RELIEF FROM STAY**

Movant having filed a Certificate of Default, and it appearing that Movant has complied with the terms of the Consent Order entered hereinbefore, it is

ORDERED that the automatic stay imposed by 11 U.S.C. § 362 is hereby modified to permit the Movant and its successors and assigns to enforce the lien of its deed of trust as it pertains to the real property located at 2813 Howerton Road, Dunnsville, VA 22454, and is more particularly described as follows:

All that certain lot or parcel of land with the buildings and improvements thereon situate in Rappahannock Magisterial District, Essex County, Virginia, near Howertons, lying on the left side of the public road from Millers Tavern to Howertons containing one-half

acre, more or less, described as follows: Beginning at a point on said road corner to the land of Charlie Taylor, thence in a northerly direction along the line of said Taylor, a distance of 70 yards to a point, a corner to the lot, thence along Linthicum's line in an easterly direction and parallel with the said road in a westerly direction a distance of 35 yards to the point of beginning.

Which relief shall extend to the purchaser at the foreclosure sale to allow the purchaser to take such action under state law, as may be necessary, to obtain possession of the property.

IT IS FURTHER ORDERED that Movant shall be entitled to reasonable attorney's fees in the amount of \$50.00 for the issuance of the Notice of Default, and additional attorney's fees of \$50.00 for issuance of the Certificate of Default and preparation of this Order Granting Automatic Stay, and Movant may recover these amounts from the proceeds of the property; and

IT IS FUTHER ORDERED that the Chapter 13 Trustee is relieved of any and all obligation to remit payment incident to the arrearages set forth in the Proof of Claim filed by the Movant.

Nov 26 2019

DONE at Richmond, Virginia, this \_\_\_\_\_ of November, 2019.

/s/ Kevin R Huennekens

United States Bankruptcy Judge

ENTERED ON DOCKET: Nov 26 2019

Prepared and submitted:  
**McMichael Taylor Gray, LLC**  
/s/ Keith Yacko  
Keith Yacko  
Virginia Bar No. 37854  
Attorney for Movant  
3550 Engineering Dr.  
Suite 260  
Peachtree Corners, GA. 30092  
470-289-4347  
[kyacko@mtglaw.com](mailto:kyacko@mtglaw.com)

**CERTIFICATION**

The undersigned certifies that the foregoing Order Granting Relief from Stay is substantially in compliance with the form order required by Administrative Order 10-2.

/s/ Keith Yacko  
Attorney for Movant

**CERTIFICATION**

The undersigned certifies, pursuant to Rule 9022 1(c) that all necessary parties on the attached Certificate of Service have been served the foregoing Order and that the Order is ready for entry.

/s/ Keith Yacko  
Attorney for Movant

The Movant will send copies of this Order to the following party(ies) by first class mail, postage pre-paid:

Sarah M. Sorrell  
2813 Howerton Road  
Dunnsville, VA 22454

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing ORDER GRANTING RELIEF FROM STAY was provided via Regular U.S. Mail and/or CM/ECF to the parties listed on the attached service list, this November 22, 2019.

**SERVICE LIST**

**VIA U.S. MAIL**

Sarah M. Sorrell  
2813 Howerton Road  
Dunnsville, VA 22454

**VIA CM/ECF**

**Keith A. Pagano**  
**Pagano & Marks, P.C.**  
**4510 S. Laburnum Ave**  
**Richmond, VA 23231**

**Carl M. Bates**  
**P.O. Box 1819**  
**Richmond, VA 23218**

**McMichael Taylor Gray, LLC**  
/s/ Keith Yacko  
Keith Yacko  
Virginia Bar No. 37854  
Attorney for Movant  
3550 Engineering Dr.  
Suite 260  
Peachtree Corners, GA. 30092  
470-289-4347  
[kyacko@mtglaw.com](mailto:kyacko@mtglaw.com)



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies under penalty of perjury that he/she is over eighteen (18) years of age and that the **RESPONSE TO NOTICE OF FINAL CURE** in the above captioned case were this day served upon the below named persons by mailing, postage prepaid, first class mail a copy of such instrument to each person(s), parties, and/or counsel at the addresses shown below:

**Via U.S. Mail**

**Sarah M. Sorrell**  
2813 Howerton Road  
Dunnsville, VA 22454

**Via electronic service:**

**Keith A. Pagano**  
Pagano & Marks, P.C.  
4510 S. Laburnum Ave  
Richmond, VA 23231

**Carl M. Bates**  
P. O. Box 1819  
Richmond, VA 23218

Dated: January 30, 2020

/s/ Keith Yacko  
Keith Yacko  
Virginia Bar No. 37854  
McMichael Taylor Gray, LLC  
3550 Engineering Drive  
Suite 260  
Peachtree Corners, GA 30092  
407-289-4347  
kyacko@mtglaw.com